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C O N F I D E N T I A L SECTION 01 OF 03 COLOMBO 000111

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DEPARTMENT FOR SCA/INS

E.O. 12958: DECL: 01/29/2018
TAGS: PREL PGOV PTER PHUM MOPS CE

SUBJECT: SRI LANKA: DISAPPOINTMENT AT LIMITED SCOPE OF
DEVOULATION PROPOSAL

REF: COLOMBO 93

Classified By: DCM James R. Moore. Reasons: 1.4 (b, d)

¶1. (C) SUMMARY: While the international response to the unveiling of the government proposals for limited devolution of powers to the provinces under Sri Lanka's 13th Amendment was cautiously positive, reactions from the minority Tamils and Muslims have ranged from disappointment to scathing rejection. In its advocacy with the GSL, the U.S. should welcome the positive aspects of the plan, such as the provisions for language rights and stepped-up recruitment. However, we need to join other friends of Sri Lanka, such as Japan and India, in pressing privately for a more ambitious plan to prepare the way for a serious effort at national reconciliation that will be needed, regardless of how the military part Sri Lanka's conflict develops and ends. End summary.

FOREIGN FRIENDS ACCENTUATE THE POSITIVE

¶2. (U) International response to the plan has been positive but restrained. The Indian Ministry of External Affairs said the proposals were a "welcome first step" provided they paved the way for a final settlement of the ethnic conflict. The Japanese Foreign Ministry also adopted a cautiously upbeat tone, but emphasized that it continued to expect a final package from the APRC. Further, it indirectly called for negotiations to end the conflict. "The Government of Japan strongly hopes that a final political solution will be achieved in a manner that all the parties concerned including the Liberation Tigers of Tamil Eelam (LTTE) will be included."

OPPOSITION: PROPOSALS ARE "A FARCE"

¶3. (SBU) UNP Member of Parliament Mr. Sajith Premadasa told an interviewer, "The APRC is there only to whet the appetite of the international community. It is a farce." Significantly, however, key UNP politicians contacted by the political section pointed out that the party has yet to take

any official position on the proposals.

¶4. (U) The largest Tamil party in parliament, the Tamil National Alliance (which is considered close to the LTTE) called the proposals a fraud. According to TNA Parliamentary Group Leader Sampanthan, "The 13th Amendment is certainly no solution to the Tamil question and cannot even be the basis for the commencement of anything that can move towards a resolution of the conflict. The litmus test in determining the sincerity of LTTE Leader V. Prabhakaran would be to come up with a set of proposals that would challenge him. The question is not Prabhakaran's insincerity but whether President Rajapaksa has managed to put on the table a progressive set of proposals."

¶5. (U) V. Anandasangaree, President of the Tamil United Liberations Front (not represented in parliament, but a government ally who hopes to have a key position in the interim administration of the Northern Province), welcomed the limited steps but reiterated the need for a federal solution that would include the merger of the North and East Provinces. He hoped the APRC would continue this process in the same spirit, and would find a solution which would meet the aspirations of the Tamil-speaking people.

¶6. (C) Several minority parties with ministers in the government, whose representatives signed the document under pressure, told us privately of their misgivings. Leader of the Up-Country People's Front Chandrasekeran dismissed the proposals, calling them "a mockery." His deputy Radhakrishnan explained, "we are not happy with the proposal. It does not solve the problem. It is far short of our

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expectations. The 13th Amendment does not address the Plantation Tamils' problem; it only focuses on the North and East. As it is, there is dilution to what is proposed; there is reluctance to give police powers immediately." Ceylon Workers Congress National Organizer Yogarajan told us, "during the 63 meetings, there were agreements on many core issues. There was no agreement on unitary/federal state. We proposed a consensus of the provinces (as the unit of devolution.) We do not want a proportional representation system. If we cannot reach agreement at the APRC level, we will accept the decision at the All Party Leaders' level."

¶7. (C) General Secretary Kumaraguruparan of Mano Ganesan's Western People's Front (which refused to sign the document) told us, "The JVP and JHU have said there cannot be any devolution of power. JHU has suggested next to Parliament only the Municipal Councils. We anticipated a Southern consensus, but there is no possibility that would occur. The proposal will take time to be finalized, and we feel it will not materialize."

¶8. (C) The Government Agent in Jaffna, K. Ganesh (strictly protect) also voiced serious reservations: "Difficult to make this work, as long as there is talk of vengeance and annihilation of certain persons. There is no possibility that the 13th Amendment would be fully implemented (on this basis); there would be obstruction... There has to be total devolution. There has to be first be security and freedom for the people. The people's wish has to be met. All must work with an open mind, not with hidden agendas."

NATIONALISTS WANT NO PROPOSAL BEFORE CONFLICT ENDS

¶9. (U) JVP Leader Somawansa Amarasinghe indicated that his Sinhalese extremist party would seek to block even these limited measures: "The APRC was no APRC at all. How could it be categorized as an all-party committee when the JVP and UNP were not represented, and the TNA boycotted the meetings. The proposal to revive the long-dead Indo-Lanka Accord of July 1987 would never facilitate a negotiated settlement. The Sri Lanka Freedom Party (SLFP) took a tough stand against

the Indo-Lanka Accord, and President Rajapaksa has conveniently forgotten this. In our road map for durable peace, the annihilation of the LTTE comes first. The restoration of democracy, compensation to victims of violence, irrespective of their ethnicity and eradication of the separatist movement would be necessary. This could be followed by elections to provincial councils and local bodies, giving importance to a countrywide consensus."

¶10. (U) Most caustic, perhaps, was a Tamil commentator in the independent Sunday Nation, which usually takes positions closer to the government line: "Professor Tissa Vitharana has embarked on a time machine and gone twenty years back to deliver somebody else's baby that was paralyzed at birth and was in a coma for so long."

ANALYSIS: PLAN IS SHORT ON DETAILS

¶11. (C) The document that emerged is not really a blueprint for implementing the 13th Amendment, but more a general statement of principles. The proposals to recruit Tamil police officers and to take measures to allow Tamil speakers (which includes nearly all Muslims) to conduct government business in their own language are both substantive and urgently necessary. But it is not clear from the text whether the intent is to devolve police powers to the provinces at this time. The paper reveals no specifics on what powers or resources would be devolved. One matter that should become the purview of provincial and local government, and is of paramount importance to Muslims and Tamils, is the power to make decisions over land use, yet the paper does not

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indicate whether even this authority will be devolved.

¶12. (C) Initial reactions indicate that the paper has failed to convince many Sri Lankans, especially Tamils, that the government is serious about opening a political track to resolve the conflict. The government's action in bringing forward this highly diluted plan appears dictated by its domestic political exigencies and aimed at keeping the ultranationalist forces on whom it now depends at bay. Some observers even fear that the proposal for elections in the East and an interim administration in the North may provide cover for a move to put the heads of paramilitaries in charge of the devolved units. This would only further stoke the conflict.

DOES THE APRC HAVE THE WILL TO CONTINUE?

¶13. (C) Under an optimistic scenario, even a robust implementation of the 13th Amendment would leave much for the APRC to do to work out a proposal for a comprehensive political solution. The introductory paragraph states that the consensus document is nearly complete and that the APRC plans to submit it "in the very near future." Tamil politician K. Vigneswaran, a member of the Experts Committee that produced the APRC "Majority Report," told us that Vitharana had virtually gone into seclusion since the plan emerged. The APRC held one 90-minute sitting on January 28, but did not resume the debate on substance. Vigneswaran said he feared that the President would use the monk-based party JHU and the hardline Marxist MEP to further drag out the process and block progress. He thought strong international pressure would be needed to keep the APRC process alive. "The choice for Tamils is either the APRC or the LTTE - what else is there? The APRC must not be allowed to wither away."

¶14. (C) COMMENT: In our assessment, direct international criticism of the proposal would be counterproductive, painting the GSL into a corner. We have so far avoided staking out a strong public position for or against the proposal, but will welcome measures that tend in the right direction, such as the provisions to recruit Tamil police

officers and to allow Tamil speakers to conduct government business in their own language. We will stress that we hope these will be first steps on the way to achieving the comprehensive political settlement that is clearly needed. We will seek to persuade the main players, especially the President, that such first steps must be followed by a more robust effort to address the legitimate aspirations of Sri Lanka's communities. We will also attempt to convince the principal opposition party to end its boycott of the APRC activities and work constructively to help resolve Sri Lanka's national question. A sincere effort at addressing the concerns of Sri Lanka's minorities will be necessary to effect a national reconciliation, regardless of how the military situation plays out over the next several months.

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